

03560.002720.

PATENT APPLICATION

8 | Election
10-06-03
NP
CJM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MASANORI WAKAI, ET AL.

Application No.: 09/769,451

Filed: January 26, 2001

For: METHOD AND APPARATUS
FOR DETECTING AND
INTERPRETING PATH OF
DESIGNATED POSITION

Examiner: J. Nguyen

Group Art Unit: 2674

Date: August 18, 2003

RECEIVED

AUG 21 2003

Technology Center 2600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

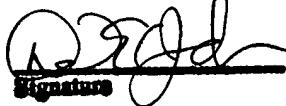
RESPONSE TO RESTRICTION / ELECTION REQUIREMENT

Sir:

In response to the Office Action dated June 18, 2003 (Paper No. 6), which required election between allegedly distinct species, Applicants provisionally elect Species A, namely Figures 1 to 14. Claims 1 to 6, 153 and 155 read on the elected species. The Election Requirement is, however, traversed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450 Alexandria, Virginia 22313-1450 on August 18, 2003 (Date of Deposit)

David E.A. Jordan, Reg. No. 50,325
Name of Attorney for Applicant


Signature

August 18, 2003
Date of Signature

Traversal is on the grounds that there would not be undue burden in examining the claims of all four species in a single application. It has always been Applicants' prerogative to present claims to a reasonable number of species, as the term "reasonable" is used in 37 C.F.R. § 1.141(a). In this case, only four species have been identified by the Examiner, all of which involve related position information processing involving a combination of travel paths of multiple points.

Applicants therefore submit that the maintenance and examination of all claims in the same application is reasonable and is not believed to be unduly burdensome on the Examiner. Accordingly, reconsideration and withdrawal of the Election Of Species Requirement are respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants

Registration No. 50,325

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200